

11:00 23-06002-tmr
19-62483-tmr13

Bangs v. U.S. Department of Education c/o Nelnet

Kristin Irene Bangs - pla

REX DAINES

U.S. Department of Education - dft

JESSIE BARRINGTON

Matter: Pretrial Conference

Additional Appearances: None

Summary of Proceedings

Ms. Barrington discussed her client's position on this adversary proceeding and raised a venue issue. She noted more time is needed to obtain documentation from the plaintiff. She indicated she expects new counsel to take over the representation of the DOE in the case.

The court engaged Mr. Daines in a discussion regarding Nelnet and the address listed for the defendant. Mr. Daines indicated Nelnet should be removed from the defendant's name. Ms. Barrington agreed and indicated the listed address can be removed also.

Determination of the Court

The court will update the defendant's record on the docket and remove Nelnet and the address, leaving defendant as the United States Department of Education without an address except through counsel.

The defendant has until August 30, 2023, to file a motion to change venue. This date can be extended by agreement of both parties.

A continued pretrial conference to be held September 12, 2023, at 10:30 a.m., by telephone. The court will not send separate notice.

Discovery may proceed. The court will enter a separate order.

Order to be prepared by: _____ Clerk's Office _____ Chambers _____ Other:

Scheduling order:

_____ PSCDO (issued by CRD) _____ ESCDO (issued by CRD) _____ chambers/party-prepared (issued by CA)

Notice of Proposed Dismissal: # of days _____

_____ Settlement reported
 _____ Failure to answer
 _____ Failure to prosecute
 _____ Party to submit proposed judgment
 _____ Failure to submit pretrial order

Order re: Application of FRCP 26.

_____ OFRCP1 Planning conference due by _____ Report due by _____
 _____ OFRCP2 Planning conference due by _____ No Report _____
X OFRCP3 Discovery can proceed
 _____ OFRCP4 No planning conference/disclosures by _____
 _____ OFRCP5 Discovery limited to _____

Minute Order: